

**RECEIVED
CENTRAL FAX CENTER****JAN 23 2006****KACVINSKY LLC**
INTELLECTUAL PROPERTY COUNSELORS**PATENT TRADEMARK AND COPYRIGHT LAW
TECHNOLOGY & LICENSING**4500 BROOKTREE ROAD, SUITE 102
WEXFORD, PENNSYLVANIA 15090
(724) 933-5529
FAX (724) 933-0028JOHN F. KACVINSKY *
ROBERTO CAPRIOTTI
ROBERT V. RACUNAS *†* ALSO ADMITTED IN WASHINGTON, DC
† ALSO ADMITTED IN VIRGINIA
Email: information@kacvinskyllaw.com
www.kacvinskyllaw.com**FACSIMILE TRANSMITTAL SHEET**

DATE: January 23, 2006
DELIVER TO: United States Patent and Trademark Office
FAX NO.: 1-571-273-8300
FROM: John F. Kacvinsky, Reg. No. 40,040
DOCKET NO.: 1070P3823 **APPLICATION NO.:** 10/616,108
NO. OF PAGES: 4 (including cover sheet)

Please enter the following documents:

- Information Disclosure Statement (2 pgs.)
- PTO/SB/08A (1 pg.)

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, FAX NO. (571) 273-8300 ON JANUARY 23, 2006.


Deborah L. Higham
Date

CONFIDENTIALITY NOTE: The documents accompanying this facsimile transmission contain information from the law firm of KACVINSKY LLC which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you experience any difficulty in receiving the referenced pages, please call Deborah at (724) 933-9390.

**RECEIVED
CENTRAL FAX CENTER****JAN 23 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:)	
)	
Mark Davis)	Art Unit: 2173
)	
Serial No.: 10/616,108)	Examiner: Not Assigned
)	
Filed: July 8, 2003)	
)	
Docket No.: 1070P3823)	
Customer No.: 53483)	
)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

KACVINSKY LLC

Date: January 23, 2006



John F. Kacvinsky
Registration No. 40,040
Under 37 CFR 1.34(a)

4500 Brooktree Road, Suite 102
Wexford, PA 15090
Telephone: (724) 933-5529

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on January 23, 2006.



Deborah L. Higham



Date

JAN 23 2006

PTO/SB/DBA (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete if Known

Application Number	10/616.108
--------------------	------------

Filing Date	July 8, 2003
-------------	--------------

First Named Inventor	Mark Davis
----------------------	------------

Art Unit	2173
----------	------

Examiner Name	Not Assigned
---------------	--------------

Attorney Docket Number	1070P3823
------------------------	-----------

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

**Data
Considered**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTC-9199 (1-800-786-9199) and select option 2.